Intermec Technologies Corp. v. Palm, Inc. Doc. 147 Att. 2

Robert G. Abrams
Thomas A. Isaacson
Peter A. Barile III
HOWREY LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004
Tel.: (202) 783-0800
Fax: (202) 383-6610
abramsr@howrey.com
isaacsont@howrey.com
barilep@howrey.com

Paul Alexander
HOWREY LLP
1950 University Avenue
East Palo Alto, CA 94303
Tel.: (650) 798-3500
Fax: (650) 798-3600
alexanderp@howrey.com

Emily L. Maxwell
HOWREY LLP
525 Market Street, Suite 3600
San Francisco, CA 94105
Tel.: (415) 848-4947
Fax: (415) 848-4999
maxwelle@howrey.com

Counsel for Plaintiffs Andrea Resnick et al.
[Additional counsel on signature page]

Jonathan M. Jacobson
WILSON SONSINI GOODRICH & ROSATI, PC
1301 Avenue of the Americas, 40th Floor
New York, NY 10019
Tel.: (212) 999-5800
Fax: (212) 999-5899
jjacobson@wsgr.com
swalsh@wsgr.com

Counsel for Defendant Netflix, Inc.

Neal Manne
SUSMAN GODFREY LLP
1000 Louisiana Street, Suite 5100
Houston, Texas 77002
Tel: (713) 651-9366
Fax: (713) 654-6666
nmanne@susmangodfrey.com
rhess@susmangodfrey.com

Counsel for Defendants Wal-Mart Stores, Inc., et al
[Additional counsel on signature page]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

IN RE ONLINE DVD RENTAL ANTITRUST LITIGATION	**Master File No. M:09-CV-2029 PJH** **MDL No. 2029** **Hon. Phyllis J. Hamilton**
This document relates to: **ALL ACTIONS**	**STIPULATION AND [~~PROPOSED~~] ORDER RE CENTRALIZATION OF RELATED CASES IN MDL No. 2029**
After consultation with the Clerk of Court, this document also is being filed in the following related cases: Sheeler, Jr. v. Walmart.com, et al. (Case No. C 09-0274 PJH) Chapman v. Netflix, Inc., et al.	

Dockets.Justia.com

(Case No. C 09-0294 PJH) Orozco v. Netflix, Inc., et al. (Case No. C 09-0297 PJH) Landels, et al. v. Netflix, Inc., et al. (Case No. C 09-0340 PJH) Grime v. Netflix, Inc., et al. (Case No. C 09-0349 PJH) Meyer v. Walmart.com, et al. (Case No. C 09-0361 PJH) Randall v. Walmart.com, et al. (Case No. C 09-0368 PJH) Hirsch v. Netflix, Inc., et al. (Case No. C 09-0375 PJH) Miscioscia v. Netflix, Inc., et al. (Case No. C 09-0377 PJH) Chatelain v. Netflix, Inc., et al. (Case No. C 09-0391 PJH) Patras v. Netflix, Inc., et al. (Case No. C 09-00378 PJH) Weiner v. Walmart.com USA LLC, et al. (Case No. C 09-00398 PJH) Millrood v. Walmart.com USA LLC, et al. (Case No. C 09-00399 PJH) Kober v. Walmart.com USA LLC, et al. (Case No. C 09-00400 PJH) Lacabe v. Walmart.com USA LLC, et al. (Case No. C 09-00402 PJH) Roy v. Netflix, Inc., et al. (Case No. C 09-00434 PJH) Bruno, et al. v. Walmart.com USA LLC, et al. (Case No. C 09-00445 PJH) Zaker v. Netflix, Inc., et al. (Case No. C 09-00447 PJH) Parikh v. Netflix, Inc., et al. (Case No. C 09-00496 PJH) Johnson v. Walmart.com USA LLC, et al. (Case No. C 09-00553 PJH) Gannon v. Walmart.com USA LLC, et al. (Case No. C 09-00554 PJH) Williams v. Netflix, Inc., et al. (Case No. C 09-00678 PJH) Haddad v. Netflix, Inc., et al. (Case No. C-09-00958 PJH) Wiebe v. Netflix, Inc., et al. (Case No. C-09-01274 PJH)	

WHEREAS, by Order dated April 10, 2009, the Judicial Panel on Multidistrict Litigation ("JPML") centralized all cases in MDL No. 2029, *In re Online DVD Antitrust Litigation*, before this Court ("JPML Order");

WHEREAS, the Court entered the JPML Order on April 15, 2009, creating MDL Master Docket M:09-CV-2029 PJH ("Master Docket"), to which all actions subject to that order have been or will be centralized pursuant to 28 U.S.C. § 1407;

WHEREAS, Rule 7.5(a) of the JPML provides that "Potential 'tag along actions' filed in the transferee district require no action on the part of the Panel and requests for assignment of such actions to the Section 1407 transferee judge should be made in accordance with local rules for the assignment of related cases"; and

WHEREAS, each of the above referenced cases (the "Related Cases") has been designated a related case under Civil Local Rule 3-12 to *Resnick et al. v. Walmart.com USA LLC, et al.*, Case No. C-09-0002 ("*Resnick*"),

The undersigned do hereby agree and stipulate that upon the entry of this [Proposed] Order:

1. All Related Cases now pending in this Court shall be designated as Tag Along Actions within the meaning of the Rules of the JPML, as they have been related by this Court to *Resnick*.

2. All Related Cases so designated shall be centralized as soon as is practicable for consolidated or coordinated pretrial proceedings pursuant to 28 U.S.C. § 1407 with those cases already on the Master Docket pending in MDL No. 2029.

3. The terms of this Order shall apply to all cases that have been or may be filed in the Northern District of California and related to *Resnick* under Local Civil Rule 3-12 ("Future Related Cases"). All Future Related Cases shall be designated as Tag Along Actions within the meaning of the JPML Rules, and shall be centralized as soon as is practicable for consolidated or coordinated pretrial proceedings pursuant to 28 U.S.C. § 1407 with those cases already on the Master Docket pending in MDL No. 2029.

DATED: April 27, 2009

Respectfully Submitted,

Robert G. Abrams
Thomas A. Isaacson
Peter A. Barile III
HOWREY LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004
Tel.: (202) 783-0800
Fax: (202) 383-6610

Paul Alexander
HOWREY LLP
1950 University Avenue
East Palo Alto, CA 94303
Tel.: (650) 798-3500
Fax: (650) 798-3600

Emily L. Maxwell
HOWREY LLP
525 Market Street, Suite 3600
San Francisco, CA 94105
Tel.: (415) 848-4947
Fax: (415) 848-4999

BY: /s/ Robert G. Abrams

Counsel for Plaintiffs (Case Nos. 3:09-cv-00002, 3:09-cv-00096, 3:09-cv-00236, 3:09-cv-00274, 3:09-cv-00361, 3:09-cv-00553, and 3:09-cv-00554)

And attests in accordance with General Order No. 45 X. B. that concurrence in the filing of the document has been obtained from each of the undersigned counsel:

Defendants' Counsel

Jonathan M. Jacobson
Sara Ciarelli Walsh
WILSON SONSINI GOODRICH & ROSATI, PC
1301 Avenue of the Americas
40th Floor
New York, NY 10019
Tel.: (212) 999-5800
Fax: (212) 999-5899

Keith E. Eggleton
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, Ca 94304-1050
Tel: (650) 493-9300
Fax: (650) 565-5100

Scott Andrew Sher

WILSON SONSINI GOODRICH & ROSATI
1700 K Street, NW, Fifth Floor
Washington, DC 20006
Tel: (202) 973-8800
Fax: (202) 973-8899
Counsel for Defendant Netflix, Inc.

Neal Manne
Richard Wolf Hess
SUSMAN GODFREY LLP
1000 Louisiana Street, Suite 5100
Houston, Texas 77002
Tel: (713) 651-9366
Fax: (713) 654-6666

Genevieve Vose
SUSMAN GODFREY LLP
1201 Third Ave., Suite 3800
Seattle, WA 98101-3000
Tel: (206) 516-3836
Fax: (206-516-3883

Stephen E. Morrissey
Kathryn Parsons Hoek
Marc M. Seltzer
SUSMAN GODFREY LLP
1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067-6029
Tel.: 310-789-3100
Fax: 310-789-3150

Counsel for Defendant Wal-Mart Stores, Inc. and Wal-Mart.com USA LLC

Additional Plaintiffs' Counsel

Guido Saveri
R. Alexander Saveri
Melissa Shapiro
Cadio Zirpoli
SAVERI & SAVERI, INC.
706 Sansome Street
San Francisco, CA 94111
Tel.: (415) 217-6810
Fax: (415) 217-6813

Counsel for Plaintiff (Case No. 3:09-cv-00349)

Joseph J. Tabacco, Jr.
Christopher T. Heffelfinger
Todd A. Seaver
BERMAN DEVALERIO
425 California Street, Suite 2100
San Francisco, CA 94104
Tel.: (415) 433-3200
Fax: (415) 433-6382

Manuel J. Dominguez
BERMAN DEVALERIO
4280 Professional Center Drive, Suite 350
Palm Beach Gardens, FL 33410
Tel: (561) 835-9400
Fax: (561) 835-0322

Counsel for Plaintiffs (Case Nos. 3:09-cv-00111, 3:09-cv-00138, and 3:09-cv-00445)

Eugene A. Spector
Jeffrey J. Corrigan
William G. Caldes
Theodore M. Lieverman
Jay S. Cohen
Jonathan M. Jagher
SPECTOR ROSEMAN KODROFF& WILLIS, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Tel.: (215) 496-0300
Fax: (215) 496-6611

Counsel for Plaintiffs (Case Nos. 3:09-cv-00096, 3:09-cv-00274, 3:09-cv-00361, 3:09-cv-00553, and 3:09-cv-00554)

H. Laddie Montague, Jr.
Merrill G. Davidoff
David F. Sorensen
Peter Kohn
BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, PA 19103
Tel.: (215) 875-3010
Fax: (215) 875-4604

Counsel for Plaintiffs (Case Nos. 3:09-cv-00116 and 3:09-cv-0156)

Natalie Finkelman Bennett
SHEPHERD, FINKELMAN, MILLER, SHAH, LLP
35 East State Street
Media, PA 19063
Tel.: (610) 891-9880
Fax: (610) 891-9883

Gary E. Mason
Donna F. Solen
THE MASON LAW FIRM LLP
1225 19th Street, N.W., Suite 500
Washington, DC 20036
Tel.: (202) 429-2290
Fax: (202) 429-2294

Counsel for Plaintiff

O'Connor v. Walmart.com USA LLC, et al., Case No. C 09-0096 PJH

Vahn Alexander
FARUQI & FARUQI, LLP
1901 Avenue of the Stars, 2nd Floor
Los Angeles, CA 90067
Tel.: (310) 461-1426
Fax: (310) 461-1427

Kendall S. Zylstra
Richard Schwartz
FARUQI & FARUQI, LLP
2600 Philmont Avenue, Suite 324
Huntingdon Valley, PA 19006
Tel.: (215) 914-2460
Fax: (215) 914-2462

Counsel for Plaintiffs

Schmitz v. Walmart.com USA LLC, et al., Case No. C 09-0116 PJH
Sivek v. Walmart.com USA LLC, et al., Case No. C 09-0156 PJH

Daniel A. Small
Benjamin D. Brown
Kit Pierson
Christopher Cormier
COHEN MILSTEIN SELLERS & TOLL PPLC
1100 New York Avenue, N.W.
Suite 500, West Tower
Washington, DC 20005
Tel.: (202) 838-7797
Fax: (202) 838-7745

Counsel for Plaintiffs

Lynch, et al. v. Walmart.com USA LLC, et al., Case No. C 09-0138 PJH

Bryan L. Clobes
Ellen Meriwether
Timothy Fraser
CAFFERTY FAUCHER LLP
1717 Arch Street, Ste., 3610
Philadelphia, PA 19103

Nyran Rose Pearson
CAFFERTY FAUCHER LLP
30 N. LaSalle Street, Suite 3200
Chicago IL 60602

Counsel for Plaintiffs

Groce, et al. v. Netflix, Inc., et al., Case No. C 09-0139 PJH

Kevin Bruce Love
Michael E. Criden
CRIDEN & LOVE, P.A.
7301 S.W. 57 h Court, Suite 515
South Miami, FL 33143

Counsel for Plaintiff

Faris v. Netflix, Inc., et al., Case No. C 09-0180 PJH

Robert C. Schubert
Willem F. Jonckheer
SCHUBERT JONCKHEER KOLBE & KRALOWEC LLP
Three Embarcadero Center, Suite 1650
San Francisco, CA 94111
Tel.: (415) 788-4220
Fax: (415) 788-0161

Counsel for Plaintiffs

Slobodin v. Netflix, Inc., et al., Case No. C 09-0225 PJH
Landels, et al. v. Netflix, Inc., et al., Case No. C 09-0340 PJH
Melanie Miscioscia v. Netflix, Inc., et al., Case No. C 09-0377 PJH
James Chatelain v. Netflix, Inc., et al., Case No. C 09-0391 PJH

Lee Albert
Brian Brooks
Jacqueline Sailer
MURRAY, FRANK & SAILER LLP
275 Madison Avenue, Suite 801
New York, New York 10016
Tel.: (212) 682-1818
Fax: (212) 682-1892

Counsel for Plaintiff

Sheeler, Jr. v. Walmart.com USA LLC, et al., Case No. C 09-0274 PJH

Michael F. Ram
Erica Craven-Green
LEVY, RAM & OLSON LLP
639 Front Street, 4th Floor
San Francisco, CA 94111
Tel.: (415) 433-4949
Fax: (415) 433-7311

Counsel for Plaintiff

Chapman v. Netflix, Inc., et al., Case No. C 09-0294 PJH

Alex C. Turan
MONTURA LAW GROUP
2070 N. Broadway, Suite 5492
Walnut Creek, CA 94596
Tel.: (415) 308-0025
Fax: (925) 256-9615

Counsel for Plaintiff

Orozco v. Netflix, Inc., et al., Case No. C 09-0297 PJH

Guy A. Wilson
LAW OFFICES OF GUY A. WILSON
509 Orchard Street
Santa Rosa, CA 95404
Tel.: (707) 525-1277

Roy A. Katriel
THE KATRIEL LAW FIRM
1101 30th Street
Washington, DC 20007
Tel.: (202) 625-4342

Counsel for Plaintiffs

Landels, et al. v. Netflix, Inc., et al., Case No. C 09-0340 PJH

Marc H. Edelson
EDELSON & ASSOCIATES, LLC
45 West Court Street
Doylestown, PA 18901
Tel.: (215) 230-8043
Fax: (215) 230-8735

Counsel for Plaintiff

Meyer v. Walmart.com USA LLC, et al., Case No. C 09-0361 PJH

Douglas A. Millen
FREED KANNER LONDON & MILLEN, LLC
2201 Waukegan Road, Suite 130
Bannockburn, IL 60015
Tel.: (224) 632-4500
Fax.: (224) 632-4521

Harry Shulman
THE MILLS LAW FIRM
880 Las Gallinas Avenue, Suite 2

San Rafael, CA 94903
Tel.: 415-455-1326
Fax: 415-455-1327

Counsel for Plaintiff

Hirsch v. Netflix, Inc., et al., Case No. C 09-0375 PJH

David Pastor
GILMAN & PASTOR, LLP
63 Atlantic Avenue, Third Floor
Boston, MA 02110
Tel.: (617) 742-9700

Michael F. Germano
LAW OFFICES OF MICHAEL GERMANO, P.C.
63 Atlantic Avenue, Third Floor
Boston, MA 02110
Tel.: (617) 367-5911

Counsel for Plaintiff

Melanie Miscioscia v. Netflix, Inc., et al., Case No. C 09-0377 PJH

Mark Warshaw
Jaquelynn Pope
WARSHAW & POPE
934 Hermosa Avenue, Suite 14
Hermosa Beach, CA 90254
Tel.: (310) 379-3410

Edward F. Haber
SHAPIRO HABER & URMY
53 State Street
Boston, MA 02109
Tel.: (617) 439-3939

Counsel for Plaintiff

James Chatelain v. Netflix, Inc., et al., Case No. C 09-0391 PJH

Richard M. Volin
Michael McLellan
FINKELSTEIN THOMPSON LLP
1050 30th Street, N.W.
Washington, DC 20007
Tel.: (202) 337-8000
Fax: (202) 337-8090

Rosemary M. Rivas
Mark Punzalan
FINKELSTEIN THOMPSON LLP
100 Bush Street, Suite 1450
San Francisco, CA 94104

Tel.: (415) 398-8700
Fax: (415) 398-8704

Gordon M. Fauth, Jr.
LITIGATION LAW GROUP
1801 Clement Avenue, Suite 101
Alameda, CA 94501
Tel.: (510) 238-9610
Fax: (510) 337-1431

Counsel for Plaintiff

Patras v. Netflix, Inc., et al., Case No. C 09-00378 PJH

Jeff D. Friedman
HAGENS BERMAN SOBOL SHAPIRO LLP
715 Hearst Avenue
Berkeley, CA 94710
Tel.: (510) 725-3000
Fax: (510) 725-3100

Steve W. Berman
Anthony D. Shapiro
HAGENS BERMAN SOBOL SHAPIRO LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
Tel.: (206) 623-7292
Fax: (206) 623-0594

Counsel for Plaintiffs

Weiner v. Walmart.com USA LLC, et al., Case No. C 09-00398 PJH
Millrood v. Walmart.com USA LLC, et al. Case No. C 09-00399 PJH

Anthony J. Bolognese
Joshua H. Grabar
BOLOGNESE & ASSOCIATES, LLC
Two Penn Center
1500 JFK Boulevard, Suite 320
Philadelphia, PA 19102
Tel.: (215) 814-6750
Fax: (215) 814-6764

Counsel for Plaintiff

Weiner v. Walmart.com USA LLC, et al., Case No. C 09-00398 PJH

Gerald J. Rodos
Jeffrey B. Gittleman
Julie B. Palley
BARRACK, RODOS & BACINE
3300 Two Commerce Square
2001 Market Street

Philadelphia, PA 19130
Tel.: (215) 963-0600
Fax: (215) 963-0838

Steve R. Basser
BARRACK, RODOS & BACINE
One American Plaza
600 West Broadway, Suite 900
San Diego, CA 92101
Tel.: (619) 230-0800
Fax: (619) 230-1874

Counsel for Plaintiff

Millrood v. Walmart.com USA LLC, et al. Case No. C 09-00399 PJH

Frank J. Johnson
Francis A. Bottini, Jr.
JOHNSON BOTTINI, LLP
655 West Broadway, Suite 1400
San Diego, CA 92101
Tel.: (619) 230-0063
Fax: (619) 233-5535

Counsel for Plaintiff

Kober v. Walmart.com USA LLC, et al. Case No. C 09-00400 PJH

Joseph Saveri
Michele C. Jackson
Eric B. Fastiff
Andrew S. Kingsdale
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery Street, Suite 3000
San Francisco, CA 94111
Tel.: (415) 956-1000
Fax: (415) 956-1008

Counsel for Plaintiff

Lacabe v. Walmart.com USA LLC, et al. Case No. C 09-00402 PJH

Mindee J. Reuben
WEINSTEIN KITCHENOFF & ASHER, LLC
1845 Walnut Street, Suite 1100
Philadelphia, PA 19103
Tel.: (215) 545-7200
Fax: (215) 535-6535

Counsel for Plaintiffs

Bruno, et al. v. Walmart.com USA LLC, et al. Case

No. C 09-00445 PJH

Edward A. Wallace
Kenneth A. Wexler
WEXLER WALLACE, LLP
55 West Monroe Street, Suite 3300
Chicago, IL 60603
Tel: 312.346.2222
Fax: 312.346.0022

Mark J. Tamblyn
Neha Duggal
WEXLER WALLACE, LLP
455 Capitol Mall, Suite 231
Sacramento, CA 95814
Tel.: 916-492-1100
Fax: 916-492-1124

Counsel for Plaintiff

Zaker v. Netflix, Inc., et al. Case No. C 09-00447 PJH

Bonny E. Sweeney
David W. Mitchell
COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP
655 West Broadway, Suite 1900
San Diego, CA 92101
Tel.: (619) 231-1058
Fax: (619) 231-7423

William C. Wright
THE LAW OFFICES OF WILLIAM C. WRIGHT, P.A.
301 Clematis Street, Suite 3000
West Palm Beach, FL 33401
Tel.: (561) 514-0904
Fax: (561) 514-0905

Counsel for Plaintiff

Parikh v. Netflix, Inc., et al. Case No. C 09-00496 PJH

Garrett D. Blanchfield
REINHARDT, WENDORF & BLANCHFIELD
E1250 First National Bank Building
332 Minnesota Street
St. Paul, MN 55101
Tel.: (651) 287-2100
Fax: (651) 287-2103

Counsel for Plaintiff

Johnson v. Walmart.com USA LLC, et al. Case No. C 09-00553 PJH

David P. McLafferty
McLAFFERTY & ASSOCIATES, P.C.
923 Fayette Street
Conshohocken, PA 19428
Tel.: (610) 940-4000
Fax: (610) 940-4007

Counsel for Plaintiff

Gannon v. Walmart.com USA LLC, et al. Case No. C 09-00554 PJH

Dianne M. Nast
Joseph F. Roda
Michele S. Burkholder
Daniel N. Gallucci
RODANAST, P.C.
801 Estelle Drive
Lancaster, Pennsylvania 17601
Telephone: (717) 892-3000
Facsimile: (717) 892-1200

Counsel for Plaintiff

Williams v. Netflix, Inc., et al. Case No. C 09-00678 PJH

Edward M. Gergosian
Robert J. Gralewski
William D. Harris
GERGOSIAN & GRALEWSKI LLP
655 West Broadway Suite 1410
San Diego CA 92101
Tel 619-237-9500
Fax 619-237-9555 fax

Counsel for Plaintiff

Haddad v. Netflix, Inc., et al., Case No. C-09-00958 PJH

Matthew Schultz
Timothy D. Battin
Thomas M. Palumbo
STRAUS & BOIES, LLP
4041 University Drive, 5th Floor
Fairfax, Virginia 22030
Tel: (703) 764-8700
Fax: (703) 764-8704

Counsel for Plaintiff

Wiebe v. Netflix, Inc., et al., Case No. 09-01274 PJH

[~~PROPOSED~~] ORDER

IT IS SO ORDERED.

DATED: 4/30/09

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED
Judge Phyllis J. Hamilton

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UNITE[illegible]